

**Response to Missing  
Requirements Under  
35 USC § 371**

Attorney Docket No.: DAIRY88.014APC  
 First Named Inventor: Archer et al.  
 Int'l Application No.: PCT/NZ04/000140  
 US Application No.: 10/563,165  
 Entered National Phase: December 28, 2005  
 Title: PROCESS FOR PREPARING A MODIFIED DAIRY  
 PRODUCT

**Direct all correspondence to Customer No.: 20995**

Date: July 27, 2006

Page 1 of 1

**Mail Stop PCT**  
 United States Patent and Trademark Office  
 PO Box 1450  
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I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

July 27, 2006

(Date)

Andrew N. Merickel, Reg. No. 53,317

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated June 1, 2006.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 2 pages.
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

<b>FEES CALCULATION</b>				
<b>FEES TYPE</b>		<b>LARGE FEE</b>	<b>CALCULATION</b>	<b>TOTAL</b>
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
1 Month Extension	37 CFR § 1.17(a)(1)	1251 (\$120)		\$0
			<b>SUB TOTAL</b>	<b>\$130</b>
			<b>TOTAL FEE DUE</b>	<b>\$130</b>

- (X) A check in the amount of \$130 is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

08/09/2006 MKAYPAGH 00000066 10563165

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DAIRY88.014APC/MIC

ANM



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,165	Richard Hamilton Archer	DAIRY88.014APC
INTERNATIONAL APPLICATION NO.		
PCT/NZ04/00140		
I.A. FILING DATE	PRIORITY DATE	
07/02/2004	07/02/2003	
CONFIRMATION NO. 5898		
371 FORMALITIES LETTER		
 <small>*OC000000019036062*</small>		

Date Mailed: 06/01/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/28/2005
- Copy of the International Search Report filed on 12/28/2005
- Preliminary Amendments filed on 12/28/2005
- Information Disclosure Statements filed on 12/28/2005
- U.S. Basic National Fees filed on 12/28/2005
- Priority Documents filed on 12/28/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,165	PCT/NZ04/00140	DAIRY88.014APC

FORM PCT/DO/EO/905 (371 Formalities Notice)